

# Notice of Allowability

Application No.

09/439,555

Examiner

James M. Hannett

Applicant(s)

YASUDA, HITOSHI

Art Unit

2612

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The amendment Filed 8/9/2005.
2. ☒ The allowed claim(s) is/are 8,10-14 and 16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Torrente on 5/1/2006.

The application has been amended as follows:

In Claim 8, Lines 3-5, "a driving mode for minutely driving said focus adjusting system before a climbing-drive mode which, in said driving mode" has been changed to -- a first driving mode for minutely driving said focus adjusting system before a second climbing-drive mode for driving said focus adjusting system at a speed higher than in said first driving mode which, in said first driving mode --.

In Claim 10, Lines 3-5, "a driving mode for minutely driving said focus adjusting system before a climbing-drive mode which, in said driving mode" has been changed to -- a first driving mode for minutely driving said focus adjusting system before a second climbing-drive mode for driving said focus adjusting system at a speed higher than in said first driving mode which, in said first driving mode --.

In Claim 11, Lines 3-5, "a driving mode for minutely driving said focus adjusting system before a climbing-drive mode which, in said driving mode" has been changed to -- a first driving mode for minutely driving said focus adjusting system before a second climbing-drive mode for

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driving said focus adjusting system at a speed higher than in said first driving mode which, in said first driving mode --.

In Claim 12, Lines 3-5, “a driving mode for minutely driving said focus adjusting system before a climbing-drive mode which, in said driving mode” has been changed to -- a first driving mode for minutely driving said focus adjusting system before a second climbing-drive mode for driving said focus adjusting system at a speed higher than in said first driving mode which, in said first driving mode --.

In Claim 13, Lines 3-5, “a driving mode for minutely driving said focus adjusting system before a climbing-drive mode which, in said driving mode” has been changed to -- a first driving mode for minutely driving said focus adjusting system before a second climbing-drive mode for driving said focus adjusting system at a speed higher than in said first driving mode which, in said first driving mode --.

In Claim 13, Lines 13-15, “wherein said control device has a first driving mode for minutely driving said focus adjusting system and a second driving mode for driving said focus adjusting system at high speed, and, in said first mode” has been changed to – wherein, in said first mode--.

In Claim 16, Lines 3-5, “a driving mode for minutely driving said focus adjusting system before a climbing-drive mode which, in said driving mode” has been changed to -- a first driving mode for minutely driving said focus adjusting system before a second climbing-drive mode for driving said focus adjusting system at a speed higher than in said first driving mode which, in said first driving mode --.

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The following is an examiner's statement of reasons for allowance: The prior art teaches the use of a camera having a minutely driving mode and a climbing-driving mode. However, the prior art does not teach the method of in the minutely driving mode, if the focus adjusting system has been driven a predetermined number of times, inverting the direction of the focus adjusting system in order to increase the predetermined high-frequency components. The prior art teaches that after the minutely driving mode has been driven a predetermined number of times the minutely driving mode is exited and the direction of movement is continued in the same direction at a faster speed since after every drive in the minute driving mode causes the high frequency components to increase. However, in the present invention, the direction of the focus adjusting system is inverted in order to increase the predetermined high-frequency components. Therefore, the claims are allowed over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett  
Examiner  
Art Unit 2612



JMH  
May 8, 2006



DAVID OMETZ  
SUPERVISORY PATENT EXAMINER